

“GOD BLESS AMERICA”

REGULAR MEETING

AUGUST 16, 2016

A Regular Meeting of the Mayor and Council of the Borough of Belmar held on the above date at **6:00 pm** at the Belmar Municipal Building, 601 Main Street.

PRESENT: Mayor Doherty, Councilwoman Keown-Blackburn, Councilman Magovern, Borough Attorney George McGill Esq., and Borough Clerk April Claudio

ABSENT: Councilman Brennan, Councilwoman Nicolay, and Business Administrator Colleen Connolly

“Adequate notice of this meeting has been provided to The Coast Star, the official newspaper of the Borough of Belmar, and the Asbury Park Press on December 4, 2015 and notice of this meeting was prominently posted on the bulletin board of the Municipal Building and filed with the Clerk of the Borough of Belmar.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE: Our troops and their families and fire victims

SPECIAL PRESENTATION:

- Lorusso Family of Union Fire Department

WORKSHOP DISCUSSION: none

PETITIONS: none

APPROVAL OF MINUTES: Council member Magovern made a motion to approve the minutes of the July 20, 2016 and August 5, 2016 meetings, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern and Keown-Blackburn

NAYS:

ABSTAIN: Doherty

REPORTS OF COUNCIL:

Council member Magovern: Great job by fire department at last night’s fire. Visited Dunkin Donuts recently and realized he lost his wallet. Officer Reo assisted in helping him find his wallet which he greatly appreciated.

Council member Keown-Blackburn: Thanked the Lorusso Family. Received a letter from County engineer about installing cross walks on 16th Avenue between Route 71 and Route 35.

Mayor Doherty: Complimented DPW; town looks great. Dredging in marina is starting up again. Chef’s International building is looking great. Taylor Pavilion construction moving forward and hope to have complete by end of the year.

Mr. McGill stated Mayor Doherty has to recuse himself from several resolutions which means there are only two Council members left, which is not a quorum.

Council member Magovern made a motion to table several agenda items until the next meeting, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern and Keown-Blackburn

NAYS:

ABSTAIN: Doherty

PUBLIC SESSION: Public Session on resolutions only on the Agenda. We will continue to have a Public Session at the end of this meeting.

Claire Deicke, 1017 14th Avenue, asked for an explanation on the skateboard park resolution. Mayor Doherty stated the skateboard park has been a nuisance for the Police Department and therefore often gets shut down. This is an effort to try to re-open it and have people follow the rules. Someone will have the opportunity to bid

on it and maintain and regulate it. Councilwoman Keown-Blackburn has witnessed it full of trash.

David Schneck, 302 C Street, questioned how a vote could be made on tabling resolutions with only two votes. Mayor Doherty stated this discussion is just for the resolutions on the agenda.

Mayor Doherty made a motion to close the public session, which was seconded by Council member Keown-Blackburn and approved unanimously.

RESOLUTIONS: (These resolutions were tabled until the next meeting)

- **RESOLUTION AUTHORIZING PAYMENT OF BILLS**
- **RESOLUTION AUTHORIZING REFUND OF DEVELOPMENT ESCROW**
- **RESOLUTION AUTHORIZING CONTRACT PURCHASE OF A TRACTOR**
- **RESOLUTION AUTHORIZING THE RECEIPT OF BIDS FOR RESURFACING OF TENNIS COURTS**

CONSENT AGENDA:

All matters listed in the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

RESOLUTIONS BY CONSENT:

Mayor Doherty offered the following resolutions for adoption:

2016-137

RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY

2016-138

RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS TO LEASE A PORTION DEMPSEY PARK FOR SKATEBOARD PARK

2016-139

RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY AT AUCTION

2016-140

RESOLUTION PERMITTING SPECIAL EVENTS

2016-141

RESOLUTION APPROVING MEMBERSHIP APPLICATIONS FOR GOODWILL FIRE DEPARTMENT

2016-142

RESOLUTION ASSESSING A PROPERTY LIEN FOR PROPERTY MAINTENANCE

Seconded by Council member Magovern and approved by the following vote:

AYES: Magovern, Keown-Blackburn and Doherty

NAYS:

ORDINANCES:

Second Reading & Public Hearing:

ORDINANCE NO. 2016-08

AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER XIX (TRAFFIC) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BELMAR

Public Hearing: no comments

Mayor Doherty made a motion to close the public hearing, which was seconded by Council member Magovern and approved unanimously.

Mayor Doherty offered ordinance 2016-08 for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern, Keown-Blackburn and Doherty
NAYS:

Second Reading & Public Hearing:

ORDINANCE NO. 2016-09
BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$500,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF.

Public Hearing: Brian Doyle, 411 4th Avenue, asked how he got on the list.

Mayor Doherty suggested there be a special meeting at some point to address all of the questions. Councilman Magovern remembered doing this last time an assessment was done.

Beth Mane, 12th Avenue, asked how to add someone to the list that she witnessed has bad sidewalks, 218 12th Avenue. Ms. Claudio stated they have already been added to the list.

Pat Wann, 119 18th Avenue, questioned how she got on the list. Mayor Doherty stated we could look into it.

Mayor Doherty made a motion to close the public hearing, which was seconded by Council member Magovern and approved unanimously.

Mayor Doherty offered ordinance 2016-08 for adoption, which was seconded by Council member Keown-Blackburn and approved by the following vote:

AYES: Magovern, Keown-Blackburn and Doherty
NAYS:

After the vote, Mr. McGill pointed out that a bond ordinance needs four affirmative votes so there are not enough members present and therefore the vote doesn't count. Mayor Doherty made a motion to cancel the vote and carry the ordinance for a new public hearing to the next meeting, which was seconded by Council member Keown-Blackburn and approved unanimously.

Second Reading & Public Hearing:

ORDINANCE NO. 2016-10 (tabled until next meeting)
ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF BELMAR, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AMENDING THE SEAPORT REDEVELOPMENT PLAN TO INCLUDE BLOCK 106, LOTS 1-3, 5-6, 10.01, 10.02 AND 11; BLOCK 116, LOTS 1-2; BLOCK 117, LOTS 1-4, 6-9, AND 12-15; BLOCK 67, LOT 4.01; BLOCK 86, LOTS 1-7; BLOCK 86.01, LOT 1; BLOCK 87, LOTS 1-3; AND BLOCK 96, LOTS 1 AND 3-9

RESOLUTIONS CONTINUED: (tabled until next meeting)
- **RESOLUTION AWARDING CONTRACT FOR CURBS, SIDEWALKS AND DRIVEWAY APRON REPLACEMENTS**

PUBLIC SESSION:
Claire Deicke, 1017 14th Avenue, stated she was dismayed by the protestors at an event at the Mayor's house recently. Was concerned about the insulting remarks being in front of children who were at the event.

Beth Mane, 308 12th Avenue, lost some trees when her neighbor put up a new fence. Seeing a lot more white vinyl fences going up and a lot of trees going down all throughout town. Asked if the Shade Tree Commission is doing anything about it. Council member Magovern stated the Commission is working on becoming a Tree City. Unfortunately, the Commission cannot control the trees on private property. Mayor Doherty stated we also lost a lot of trees from Hurricane Sandy even years later. Council member Magovern stated if we become a Tree City it gives us access to grants to remove and replace trees.

Cathy Stiso, 1220 Maplewood, suggested putting cones at the corner of intersections on Ocean Avenue in front of the parked car at the corner so the people could safely step into the street and vehicles can see them before they cross.

Sandy Caputo, 1705 Surf Avenue, brought up her concerns about safety on the beach with ball playing. Mayor Doherty said we changed the ordinance a few years ago to allow ball playing at the discretion of the lifeguards. She stated she has not seen any lifeguards take action. Council member Magovern stated he knows Ms. Connolly set up a meeting with head lifeguard Ray Elms to discuss her concerns.

Brendan Reed, 100 Ninth Avenue, expressed sympathy for the father and son who died in the fire last night. Gave a shout out to the crews building the pavilions who are doing an amazing job. Stated he was disgusted by the republicans and their tactics of protesting at the Mayor's house. Private homes and children should not be involved in their tactics.

David Schneck, 302 C Street, asked what evidence Mr. Reed has that any republicans were involved in the protest. All of the signs were about Salt not about Democrats or Republicans.

Linda Chelsin, L Street, would like a microphone in front of the borough attorney. Would like to see more negative discussion listed in the minutes.

Joy DeSanctis, 101 Sixth Avenue, asked why Mayor Doherty recused himself. Mayor Doherty stated he did not, they tabled some resolutions and ordinances for the next meeting. She asked Council member Magovern why he photographed some of the protestors at the Mayor's house. He stated he was not the only one taking photographs, there were reporters and other people and they were on public property.

Council member Magovern stated there have been a lot of people bringing up the sound in the courtroom. He would like to see us upgrade the sound system.

Mayor Doherty made a motion to close the public session and adjourn the meeting, which was seconded by Council member Keown-Blackburn and approved unanimously.

Respectively Submitted,

April Claudio
Municipal Clerk